

HOUSE BILL REPORT

HB 2484

As Reported by House Committee On:
Local Government

Title: An act relating to ad hoc review board processes for annexation proposals.

Brief Description: Concerning ad hoc review board processes for annexation proposals.

Sponsors: Representatives Moeller and Dunn.

Brief History:

Committee Activity:

Local Government: 1/15/08, 1/18/08 [DP].

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Repeals statutes and references related to temporary annexation review boards in non-code cities and towns.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 4 members: Representatives Simpson, Chair; Takko, Vice Chair; Eddy and Nelson.

Minority Report: Do not pass. Signed by 2 members: Representatives Warnick, Ranking Minority Member; Schmick.

Staff: Ethan Moreno (786-7386).

Background:

Current law authorizes multiple methods for municipal annexations. While code and non-code cities and towns have separate statutory requirements for governance and operation, the annexation methods employed are generally similar. A summary of the methods is as follows:

- *resolution/election method* - requires approval of city or town resolutions by voters residing in the proposed annexation area;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- *petition/election method* - includes initiatives petitioned by and approved by the voters residing in the proposed annexation area;
- *direct petition method* - requires approval of direct petitions signed by property owners comprising a specific percentage of land value, without voter action. An alternative direct petition method based upon the signatures of qualifying property owners and registered voters meeting specified criteria was enacted into law in 2003; and
- *resolution only method* - includes annexations for municipal purposes approved by a majority of the city or town legislative body, or other actions not requiring voter or property owner action.

In 2003 the Legislature also enacted a new annexation method by which certain cities and towns planning under the major provisions of the Growth Management Act may annex qualifying territory by ordinance if specific requirements, including the negotiation of interlocal agreements between the participating jurisdictions, are satisfied.

Annexation Review Bodies - Boundary Review Boards and Temporary Review Boards

Annexations may be subject to review by a Boundary Review Board (Board), a review body authorized in statute to guide and control the creation and growth of municipalities in metropolitan areas. While statute provides for the establishment of Boards in counties with at least 210,000 residents, current law provides that a Board may be created and established in any county.

If a qualifying annexation proposal affecting a non-code city or town is made in a county that is not subject to a Board, the mayor of the affected city or town must convene a temporary annexation review board (temporary board) consisting of the chair of the applicable county commission, the Director of the Department of Community, Trade, and Economic Development, and two citizen appointees. The mayor also serves on the temporary board, and statute allows alternates to be designated in place of the temporary board members.

The temporary board, within three months, must determine whether the annexation would be in the public's interest and welfare, and whether it is in the best interest of affected local governments and political subdivisions. Additionally, governing officials of these local governments and subdivisions must assist the temporary board in its review efforts.

In making a determination for or against annexation, the temporary board is guided by, but not limited to, specified factors, including:

- the immediate and prospective populations of the area to be annexed;
- the assessed valuation of the area to be annexed, and its relationship to population; and
- the history of and prospects for construction of improvements in the area to be annexed.

A favorable determination by the temporary board is an essential condition precedent to the annexation of territory to a city or town under the resolution/election or petition/election methods.

Upon receipt by the county commissioners of a temporary review board's determination favoring an annexation initiated by resolution/election method, the commissioners, or the city

or town legislative body for a qualifying municipality, must establish an annexation election date that conforms with specified timing requirements.

If the proposed annexation is to be executed through the resolution/election or petition/election method, and if the area proposed for annexation is less than 10 acres and has an assessed valuation of less than \$800,000, the temporary board review procedures are dispensed with.

Summary of Bill:

Statutes and references related to temporary annexation review boards in non-code cities and towns are repealed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) Annexations in urban areas are appropriate and a good part of growth management. This bill repeals the ad hoc annexation review process that was partially repealed years ago. Ad hoc annexation boards are still required to meet, but they cannot modify annexation proposals. The ad hoc process lacks specificity. When the Clark County Boundary Review Board was disbanded, questions about the annexation review process remained. This bill is an attempt to repeal a requirement that does not make sense. The law needs to be updated and the issue needs to be resolved to clarify the process.

(Opposed) None.

Persons Testifying: Representative Moeller, prime sponsor; Suzan C. Wallace, City of Vancouver; and Dave Williams, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.